IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WP(C).No. 16973 of 2007(U)

PETITIONER:

E.C.JOSEPH, ILLATHU HOUSE,
POOJAR P.O., MEENACHIL TALUK.

BY ADV. SRI.B.KRISHNA MANI
SRI.JOSEPH T.JOHN

RESPONDENTS:
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1. THE DISTRICT COLLECTOR, KOTTAYAM.

2. THE TAHSILDAR,
MEENACHIL TALUK, MINI CIVIL STATION, PALA.

3. PALA MUNICIPALITY, REPRESENTED BY
THE SECRETARY, PALA.

BY ADV. SRI.V.M.KURIAN, SC.
GOVT. PLEADER SRI.K.J.MOHAMMED ANZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.16973 of 2007

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Dated this the 12th day of June, 2007

JUDGMENT

Petitioner challenges Ext.P9. Against Ext.P9 petitioner had preferred Ext.P10 appeal before the Municipal Council, Pala. He also moved an application for stay. Learned counsel for the Municipality points out that the petitioner had already availed statutory remedy.

2. Heard counsel for the petitioner, learned Government Pleader and counsel for the third respondent.

3. Petitioner having availed statutory remedy, it may not be appropriate to consider the challenge against Ext.P9. In such circumstances, petitioner is relegated to pursue the alternate remedy availed of by him vide Ext.P10 appeal. In view of the fact that petitioner has already moved an application for stay as evident from Ext.P10, the interim order passed by this court will continue till 20.6.2007.

Writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

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